IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

U١	NITED STATES OF AMERICA,	0.4400404
	Plaintiff,) 8:11CR194)
	vs.) DETENTION ORDER
Gl	JILLERMO ORTEGA,	
	Defendant.	'
A.	Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on July 12, 2011, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).	
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 	
C.	contained in the Pretrial Services Report, X (1) Nature and circumstances of the position of the crime: the position methamphetamine in vision minimum sentence of the life imprisonment. (b) The offense is a crime of the crime of the life imprisonment. (c) The offense involves a result of the life imprisonment.	ne offense charged: ossession with intent to distribute olation of 21 U.S.C. § 841(a)(1) carries a en years imprisonment and a maximum of
	may affect when The defendant The defendant The defendant The defendant The defendant ties. Past conduct of The defendant	of the defendant including: appears to have a mental condition which ther the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. s not a long time resident of the community. does not have any significant community fithe defendant: has a history relating to drug abuse. has a significant prior criminal record. has a prior record of failure to appear at

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	of the current arrest, the defendant was on: bation
Pro	
	ease pending trial, sentence, appeal or completion of
	tence.
(c) Other Facto	
	e defendant is an illegal alien and is subject to
	ortation.
	e defendant is a legal alien and will be subject to
	ortation if convicted.
<u>X</u> The	Bureau of Immigration and Custom Enforcement
	CE) has placed a detainer with the U.S. Marshal.
Oth	er:
	eriousness of the danger posed by the defendant's
release are as follo	ws: The nature of the charges in the Indictment.
V (5) Debutteble Breeze	mutions
X (5) Rebuttable Presur	the defendant should be detained, the Court also relied
	ebuttable presumption(s) contained in 18 U.S.C. §
	Court finds the defendant has not rebutted:
	ndition or combination of conditions will reasonably
	ppearance of the defendant as required and the safety
	person and the community because the Court finds that
the crime in	
(1)	A crime of violence; or
<u>X</u> (2)	An offense for which the maximum penalty is life
	imprisonment or death; or
<u>X</u> (3)	A controlled substance violation which has a maximum
	penalty of 10 years or more; or
(4)	A felony after the defendant had been convicted of two
	or more prior offenses described in (1) through (3)
	above, and the defendant has a prior conviction for
	one of the crimes mentioned in (1) through (3) above
	which is less than five years old and which was
Y (b) That no co	committed while the defendant was on pretrial release. ndition or combination of conditions will reasonably
	ppearance of the defendant as required and the safety
of the community because the Court finds that there is probal cause to believe:	
<u> </u>	substance violation which has a maximum penalty of
	10 years or more.
(2)	That the defendant has committed an offense under 18
(2)	U.S.C. § 924(c) (uses or carries a firearm during and
	in relation to any crime of violence, including a crime of
	violence, which provides for an enhanced punishment
	if committed by the use of a deadly or dangerous
	weapon or device).

D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable,

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from persons awaiting or serving sentences or being held in custody pending appeal;

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 12, 2011. BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge